



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dong Tack Suh
Application No. : 10/812,342
Filed : March 29, 2004
Title : PULL PIN ASSEMBLY FOR CANOPY

Grp./Div. : 3679
Examiner : Michael P. Ferguson

Docket No. : 51278/C1015

DECLARATION OF JUN-YOUNG E. JEON

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
October 31, 2007

Commissioner:

1) I, Jun-Young E. Jeon, am an attorney in charge of prosecuting the reissue application no. 10/812,342 on behalf of the patent owner.

2) On May 4, 2006, a final Office Action was received, and a response was duly filed via facsimile on June 29, 2006, which is within two months of the May 4, 2006 mailing date of the final Office Action.

3) Subsequently, an Advisory Action was mailed on August 14, 2006. According to the August 14, 2006 Advisory Action, claims 1-12, 18, 19 and 38 were allowed, and claims 13-17, 20, 21, 23-32 and 34-37 were rejected. Of these rejected claims, claims 17, 22, 23, 32 and 33 were previously objected to but indicated as allowable upon being rewritten in independent form, according to the May 4, 2006 final Office Action.

4) On September 6, 2006, I confirmed with the Examiner over the telephone that claims 17, 22, 23, 32 and 33 would be allowable if rewritten in independent form.

5) On September 14, 2006, which is within one month of the August 14, 2006 mailing date of the Advisory Action, I filed an amendment canceling the rejected claims 13-17, 20, 21, 23-32 and 34-37, and placing the allowable claims 17, 22, 23, 32 and 33 in allowable form. This way, all of the claims remaining in the application would have been allowed (claims 1-12, 18, 19 and 38) or allowable (claims 17, 22, 23, 32 and 33). No other amendments were made.

6) Since no amendments were made other than to cancel rejected claims and to place the objected claims in allowable form (as confirmed with the Examiner over the telephone on

Application No. 10/812,342

September 6, 2006), I expected the amendment to be entered, and waited for a Notice of Allowance to be mailed

7) On August 27, 2007, the USPTO withdrew the Notice of Allowance as indicated in the attached printout from the USPTO PAIR site.

8) In August 2007, I learned from the Examiner that the amendment was not entered, and the application will be abandoned for failure to respond to Office Action. This was the first time I learned that there was any defect or issue with the response to Office Action mailed September 14, 2006.

9) On September 6, 2007, the Notice of Abandonment was mailed, which was the first official communication of abandonment from the USPTO.

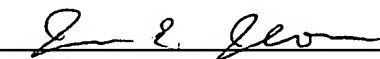
10) Therefore, the patent owner and I had no reason to believe that the amendment filed September 14, 2006 was considered to be defective, and therefore, the delay was unintentional and/or unavoidable.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Jun-Young E. Jeon

Reg. No. 43,693

626/795-9900

JEJ/sls

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